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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,443	06/25/2003	Robert G. Combs	RAP-1	4374
20808 7590 09/25/2007 BROWN & MICHAELS, PC 400 M & T BANK BUILDING 118 NORTH TIOGA ST ITHACA, NY 14850			EXAMINER JONES, HEATHER RAE	
			ART UNIT 2621	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/603,443	Applicant(s) COMBS, ROBERT G.	
	Examiner Heather R. Jones	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on May 30, 2007.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, filed May 30, 2007, with respect to the rejection(s) of claim(s) 1-14 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art references.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-7, and 9-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Laird et al. (6,647,361).

Regarding claim 1, Laird et al. discloses a system for collecting, storing, and reviewing data related to events occurring under the direction of an automated controller, comprising: a) a digital signal capture card for sensing and collecting discrete digital signals as digital data (Figs. 28 and 29 – memory fields 765, 767, and 803; col. 23, lines 62-64; col. 24, lines 3-5; col. 25, lines 16-17 – these memory fields indicate whether the car is a violator or non-violator and the

current traffic light phase); b) a multi-port serial port expansion card for sensing and collecting digital communication messages as serial data (Figs. 28 and 29; col. 23, line 46 – col. 25, line 6 – speeds and times are all collected and stored); c) a video frame grabber and compression card for sensing and collecting video signals as video data (Figs. 28, 29, and 32); d) means for indexing and storing the digital data and video data (Figs. 28 and 29); e) means for relating occurrence of a particular item of a particular data type, whether digital, serial or video, to the most closely time-related data item from the other data types (Figs. 28, 29, and 32 – all data is stored accordingly and displayed together for review); and f) a display for control of the system and presentation of recorded data to a user during review (Fig. 32; col. 26, line 65 – col. 28, line 32).

Regarding claim 3, Laird et al. discloses all the limitations as previously discussed with respect to claim 1 including that the reviewed video data are presented in picture format of still image or time-motion video images (Fig. 32).

Regarding claim 4, Laird et al. discloses all the limitations as previously discussed with respect to claim 1 including that the reviewed serial communication data are presented in time-ordered message sequence (Fig. 32 – details window (820); col. 27, lines 41-52).

Regarding claim 5, Laird et al. discloses all the limitations as previously discussed with respect to claim 1, including that the reviewed serial communication data are presented as recorded in hexadecimal or ASCII format (Fig. 32 displays ASCII characters).

Regarding claim 6, Laird et al. discloses all the limitations as previously discussed with respect to claim 1 including that the reviewed serial communication data are translated according to message parsing rules (Fig. 32 displays the time and information in the correct format – parsing is the process of analyzing a sequence of tokens (codes) to determine its grammatical structure with respect to a given formal grammar).

Regarding claim 7, Laird et al. discloses a system for collecting, storing, and reviewing data related to events occurring under the direction of an automated controller, comprising a display for displaying data, operatively connected to: a) means for sensing and collecting discrete digital signals as digital data (Figs. 28 and 29 – memory fields 765, 767, and 803; col. 23, lines 62-64; col. 24, lines 3-5; col. 25, lines 16-17 – these memory fields indicate whether the car is a violator or non-violator and the current traffic light phase); b) means for indexing and storing the digital signals (Figs. 28 and 29); c) means for sensing and collecting serial digital communication messages as serial data (Figs. 28 and 29; col. 23, line 46 – col. 25, line 6 – speeds and times are all collected and stored); d) means for indexing and storing the serial signals (Figs. 28 and 29); e) means for sensing and collecting video signals as video data (Figs. 28, 29, and 32); f) means for indexing and storing the video signals (Figs. 28 and 29); g) means for relating occurrence of a particular item of a particular data type, whether digital, serial or video, to the most closely time-related data item from the other data types, retrieving and displaying the time-related data

items, according to data the type and data item directed by the user, wherein the display displays each data type, whether digital, serial or video, in a time-synchronized manner, and wherein the user directs a displayed time of any individual data type, whether digital, serial or video, and the remaining two data types are automatically moved to a newly directed time (Figs. 28, 29, and 32 – all data is stored accordingly and displayed together for review; col. 26, line 65 – col. 28, line 32).

Regarding claim 9, Laird et al. discloses all the limitations as previously discussed with respect to claim 7 including that the reviewed video data are presented in picture format of still image or time-motion video images (Fig. 32).

Regarding claim 10, Laird et al. discloses all the limitations as previously discussed with respect to claim 7 including that the reviewed serial communication data are presented in time-ordered message sequence (Fig. 32 – details window (820); col. 27, lines 41-52).

Regarding claim 11, Laird et al. discloses all the limitations as previously discussed with respect to claim 7, including that the reviewed serial communication data are presented as recorded in hexadecimal or ASCII format (Fig. 32 displays ASCII characters).

Regarding claim 12, Laird et al. discloses all the limitations as previously discussed with respect to claim 7 including that the reviewed serial communication data are translated according to message parsing rules (Fig. 32 displays the time and information in the correct format – parsing is the process of

analyzing a sequence of tokens (codes) to determine its grammatical structure with respect to a given formal grammar).

Regarding claim **13**, Laird et al. discloses all the limitations as previously discussed with respect to claim 1 including that one or more of said serial digital communication messages are transmitted via serial communication port and wherein said digital signals are asserted via a digital input/output card (Fig. 5).

Regarding claim **14**, Laird et al. discloses all the limitations as previously discussed with respect to claims 1 and 13 including that the recorded video is output for viewing (Fig. 32 displays the video being outputted).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laird et al. as applied to claim 1 above, and further in view of Auty et al. (U.S. Patent 5,809,161).

Regarding claim **2**, Laird et al. discloses all the limitations as previously discussed with respect to claim 1, but fails to disclose that the reviewed discrete digital data are presented in graphical strip chart format.

Referring to the Auty et al. reference, Auty et al. discloses reviewing traffic information wherein the reviewed discrete digital data are presented in graphical strip chart format (Fig. 16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have graphically shown digital data as taught by Auty et al. in the system as disclosed by Laird et al. in order to allow the reviewer to easily correlate related data visually.

Regarding claim 8, Laird et al. discloses all the limitations as previously discussed with respect to claim 7, but fails to disclose that the reviewed discrete digital data are presented in graphical strip chart format.

Referring to the Auty et al. reference, Auty et al. discloses reviewing traffic information wherein the reviewed discrete digital data are presented in graphical strip chart format (Fig. 16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have graphically shown digital data as taught by Auty et al. in the system as disclosed by Laird et al. in order to allow the reviewer to easily correlate related data visually.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather R. Jones whose telephone number is 571-272-



7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Heather R Jones  
Examiner  
Art Unit 2621

HRJ  
September 17, 2007



**JOHN MILLER**  
SUPERVISORY PATENT EXAMINER  
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